

AGENDA



Thursday, October 2, 2008

**Neighborhood Planning & Zoning
RECOMMENDATION FOR COUNCIL ACTION**
Item No. 9

Subject: Approve an ordinance consenting to the annexation of approximately 0.7 acres into the Senna Hills Municipal Utility District ("MUD"), and approving the Third Amendment to the Senna Hills MUD Consent Agreement which amends the MUD Land Plan to include the 0.7 acre tract, and approving continued provision of water service to the annexed area by the Lower Colorado River Authority.

Amount and Source of Funding: (No unanticipated fiscal impact.)

For More Information: Virginia Collier, 974-2022; Sylvia Arzola, 974-6448.

Boards and Commission Action: Recommended by Planning Commission and Water and Wastewater Commission.

Senna Hills Municipal Utility District ("MUD") submitted an application requesting the City's consent to the annexation of approximately 0.7 acres into the MUD's boundaries. The MUD Board voted to annex the property at its regular May 21, 2008 meeting subject to the approval by the City. This tract is located in the City's Extraterritorial Jurisdiction at 10324 FM 2244 and the balance of this 1.2-acre parcel ("Property") is currently a part of the MUD. This request is the result of a settlement agreement between the property owner and the MUD. The current use on this property is a landscape company, which will continue after annexation by the MUD. The property owner and the MUD have further agreed to limit the future use of this property as follows:

- a. ADMINISTRATIVE AND BUSINESS OFFICES, being the use of a structure on the Property for business offices engaged in the provision of executive, management, or administrative services (for example: real estate, insurance, property management, investment, personnel, travel, and secretarial services).
- b. ART GALLERY, being the use of a structure on the Property for the display or sale of works of art.
- c. BED AND BREAKFAST RESIDENTIAL, being the use of a residential structure or structures on the Property to provide rooms and meals for temporary lodging for overnight guests on a paying basis.
- d. MULTIPLE DWELLING RESIDENTIAL, being the use of the Property for multiple dwelling units, other than a mobile home or manufactured home, under common ownership.
- e. PROFESSIONAL OFFICE, being the use of a structure on the Property for the provision of professional or consulting services in the fields of law, architecture, design, engineering, accounting, or similar professions.
- f. RETAIL, being the use of a structure on the Property for the sale or rental of goods for personal or household uses; provided such use shall not include the operation of a convenience store, drug store, grocery store, liquor store, or other service station.

Requests for annexation into a water district are typically evaluated in terms of:

- Impact on the City's annexation program
- Land Use impacts
- The City's ability to provide direct water and/or wastewater service
- The terms of the City's consent agreement/contract(s) with the water district
- Environmental impacts

- Whether the proposed annexation would induce development within the DWPZ beyond what would occur otherwise

The request was reviewed by the Austin Water Utility, Watershed Protection and Development Review, and Neighborhood Planning and Zoning Department staff. Staff determined that:

- Annexation of the tract into the MUD will not affect the City's annexation plans.
- The City does not have water and wastewater facilities in the vicinity capable of providing service to this area.
- Staff does not anticipate any negative environmental impacts if the MUD annexes this 0.7 acre tract.
- Annexation of this tract by the MUD is not expected to increase the amount of development on the tract beyond what would occur otherwise.

Staff recommends consenting to the proposed annexation of the 0.7-acre tract into the MUD.